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May 12, 2023

VIA EMAIL AND ECF

The Honorable Katherine Polk Failla
United States District Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *United States. v. Esteban Cabrera Da Corte, et al.*, 22-CR-437 (KPF)

Dear Judge Failla:

We represent Mr. Asdrubal Ramirez Mesa in the above-referenced action. With the Government's consent, defense counsel for Asdrubal Ramirez Mesa and Luis Hernandez Gonzalez seek a 31-day adjournment of the pre-trial motions briefing schedule, previously set pursuant to this Court's Order of March 28, 2023, to permit continued discussions of potential pre-trial dispositions in the above-referenced matter. The original due date for pre-trial motions was March 31, and this is our second request to extend the deadline. The proposed alternative deadlines for pre-trial motions would be:

- June 15, 2023 for Defendants' Pretrial Motions;
- July 15, 2023 for the Government's Opposition; and
- July 30, 2023 for Defendants' Reply.

The conference/potential hearing date currently scheduled for August 2 at 11:00am would be adjourned to a date in early September or as soon thereafter as would be convenient to the Court. Time has previously been excluded under the Speedy Trial Act until May 24, 2023, and defense counsel do not object to time being excluded between May 24 and the date of the next conference/hearing in early September or as soon thereafter as convenient to the Court.

Thank you for your consideration.

Respectfully submitted,

/s/

Michael W. Martin, Esq.
Lincoln Square Legal Services, Inc.
*Counsel for Asdrubal Ramirez
Mesa*

cc: Emily Deininger
Assistant United States Attorney (S.D.N.Y.)
By Email and ECF

Oscar S. Rodriguez, Esq.
Counsel for Esteban Cabrera da Corte
By Email and ECF

Bijan Parwaresch, Esq.
Counsel for Luis Hernandez Gonzalez
By Email and ECF

Application GRANTED. The Court adopts Mr. Ramirez Mesa and Mr. Hernandez Gonzalez's proposed schedule for pretrial motion briefing. Additionally, the motion hearing currently scheduled for August 2, 2023 is hereby ADJOURNED to 3:30 p.m. on **September 7, 2023**. The parties are reminded that oral argument will take place in person.

It is further ORDERED that time is excluded under the Speedy Trial Act between May 24, 2023 and September 7, 2023. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and the defendant in a speedy trial because it will permit defense counsel to prepare any pretrial motions and permit the parties to consider a pre-trial disposition.

The Clerk of Court is directed to terminate the motion at docket entry 53.

Dated: May 12, 2023
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE